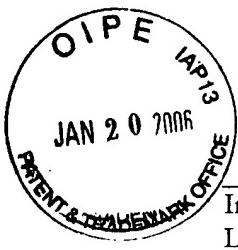


*IPW*



Docket No.: 023189.0101PTUS  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Lutz Freitag

Application No.: 10/771803

Confirmation No.: 3335

Filed: February 4, 2004

Art Unit: 3743

For: **METHOD AND ARRANGEMENT FOR  
RESPIRATORY SUPPORT FOR A PATIENT  
AIRWAY PROSTHESIS AND CATHETER**

Examiner: T. K. Mitchell

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark Office has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign and non-patents in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information

Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-2228, under Order No. 023189.0101PTUS. A duplicate copy of this paper is enclosed.

Dated: January 20, 2006

Respectfully submitted,

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Substitute for form 1449A/B/PTO  
**INFORMATION DISCLOSURE  
 STATEMENT BY APPLICANT**  
*(Use as many sheets as necessary)*

Sheet **1** of **2** Attorney Docket Number **023189.0101PTUS**

**Complete if Known**

Application Number	10/771803-Conf. #3335
Filing Date	February 4, 2004
First Named Inventor	Lutz Freitag
Art Unit	3743
Examiner Name	T. K. Mitchell

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
AA*	US-3,267,935	08-23-1966	Andreasen et al.		
AB*	US-3,357,427	12-12-1967	Schreiber		
AC*	US-3,493,703	02-03-1970	Finan		
AD*	US-3,741,208	06-26-1973	Jonsson et al.		
AE*	US-3,961,627	06-08-1976	Ernst et al.		
AF*	US-4,003,377	01-18-1977	Dahl		
AG*	US-4,261,355	04-14-1981	Glazener		
AH*	US-4,481,944	11-13-1984	Bunnell		
AI*	US-4,537,188	08-27-1985	Phuc		
AJ*	US-4,744,356	05-17-1988	Greenwood		
AK*	US-4,773,411	09-27-1988	Downs		
AL*	US-5,002,050	03-26-1991	McGinnis		
AM*	US-5,048,515	09-17-1991	Sando		
AN*	US-5,090,408	02-25-1992	Spofford et al.		
AO*	US-5,161,525	11-10-1992	Kimm et al.		
AP*	US-5,181,509	01-26-1993	Spofford et al.		
AQ*	US-5,184,610	02-09-1993	Marten et al.		
AR*	US-5,217,008	06-08-1993	Lindholm		
AS*	US-5,258,027	11-02-1993	Berghaus		
AT*	US-5,279,288	01-18-1994	Christopher		
AU*	US-5,303,700	04-19-1994	Weismann et al.		
AV*	US-5,400,778	03-28-1995	Jonson et al.		
AW*	US-5,535,738	07-16-1996	Estes et al.		
AX*	US-5,542,415	08-06-1996	Brody		
AY*	US-5,546,935	08-20-1996	Champeau		
AZ*	US-5,549,106	08-27-1996	Gruenke et al.		
AA1*	US-5,690,097	11-25-1997	Howard et al.		
AB1*	US-5,720,278	02-24-1998	Lachmann et al.		
AC1*	US-5,735,268	04-07-1998	Chua et al.		
AD1*	US-5,865,173	02-02-1999	Froehlich		
AE1*	US-5,911,756	06-15-1999	Debry		
AF1*	US-5,931,162	08-03-1999	Christian		
AG1*	US-5,954,050	09-21-1999	Christopher		
AH1*	US-6,105,575	08-22-2000	Estes et al.		
AI1*	US-6,213,119	04-10-2001	Brydon et al.		
AJ1*	US-6,305,374	10-23-2001	Zdrojkowski et al.		
AK1*	US-6,345,619	02-12-2002	Finn		
AL1*	US-6,378,520	04-30-2002	Davenport		
AM1*	US-6,439,228	08-27-2002	Hete et al.		
AN1*	US-6,568,391	05-27-2003	Tatarek et al.		
AO1*	US-6,588,422	07-08-2003	Berthon-Jones et al.		
AP1*	US-6,609,517	08-26-2003	Estes et al.		
AQ1*	US-6,626,175-A1	05-09-2002	Jafari et al.		
AR1*	US-6,629,527	10-07-2003	Estes et al.		
AS1*	US-6,629,529-A1	08-14-2003	Arnott		

Examiner Signature	Date Considered
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Substitute for form 1449A/B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
Sheet	2	of	2	Application Number	10/771803-Conf. #3335
				Filing Date	February 4, 2004
				First Named Inventor	Lutz Freitag
				Art Unit	3743
				Examiner Name	T. K. Mitchell
				Attorney Docket Number	023189.0101PTUS

AT1*	US-6,640,806-A1	07-10-2003	Yurko	
AU1*	US-6,722,360-A1	12-20-2001	Doshi	
AV1*	US-6,722,362-A1	09-05-2002	Hete et al.	
AW1*	US-6,752,151-A1	07-11-2002	Hill	
AX1*	US-6,823,866-A1	06-03-2004	Jafari et al.	
AY1*	US-6,854,462-A1	11-20-2003	Berthon-Jones et al.	
AZ1*	US-20030145853-A1	08-07-2003	Muellner	
AA2*	US-20030145856-A1	08-07-2003	Zdrojowski et al.	
AB2*	US-20030121519-A1	07-03-2003	Estes et al.	
AC2*	US-20030150455-A1	08-14-2003	Bliss et al.	
AD2*	US-20040040560-A1	03-04-2004	Euliano et al.	
AE2*	US-20040221848-A1	11-11-2004	Hill	
AF2*	US-20040237963-A1	12-02-2004	Berthon-Jones	
AG2*	US-20040255943-A1	12-23-2004	Morris et al.	
AH2*	US-20050005938-A1	01-13-2005	Berthon-Jones et al.	
AI2*	US-20050034724-A1	02-17-2005	O'Dea	
AJ2*	US-20050061322-A1	03-24-2005	Freitag	
AK2*	US-20050087190-A1	04-28-2005	Jafari et al.	
AL2*	US-20050098179-A1	05-12-2005	Burton et al.	
AM2*	US-20050121033-A1	06-09-2005	Starr et al.	

<b>FOREIGN PATENT DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY		
BA	DE-19626924		01-08-1998	Epazon B.V.	
BB	EP-0778035		06-11-1997	Siemens-Elema AB	
BC	WO-98/01176		01-15-1998		Abstract
BD	JP-2002-204830		07-23-2002	Teijon, Ltd.	Abstract

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with a single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(e)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

<b>NON PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			
					T <sup>2</sup>

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	Date Considered
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